

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN JOE DOE C.D.,

Plaintiff

v

**CAREER TECHNOLOGY CENTER
OF LACKAWANNA COUNTY and
SCRANTON SCHOOL DISTRICT,**

Defendants

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CIVIL ACTION NO. 3:20-0088

(JUDGE MANNION)

ORDER

In light of the foregoing Memorandum issued in the above- captioned case, **IT IS HEREBY ORDERED THAT:**

- 1.** The motions to dismiss of CTC, **(Doc. 7)**, and SSD, **(Doc. 9)**, filed in the above-captioned case with respect to C.D.'s complaint, **(Doc. 2)**, are **GRANTED IN PART**, and **DENIED IN PART**.
- 2.** The motion to dismiss of SSD with respect to the Title IX claim in Count I of the complaint, is **DENIED**. Count I will **PROCEED** as against CTC and SSD.
- 3.** The motions to dismiss of CTC and SSD with respect to Count II of the complaint are **GRANTED**, and the Title IX claim in Count II is **DISMISSED WITH PREJUDICE**.
- 4.** The motions to dismiss of CTC and SSD with respect to Count III of the complaint are **GRANTED**, and the Title IX retaliation claim in Count III is **DISMISSED WITH PREJUDICE**.

5. The motion to dismiss of SSD with respect to Count IV, 14th Amendment due process claim, and Count VI, failure to train and supervise claim of the complaint, is **DENIED**. Counts IV and VI will **PROCEED** as against CTC and SSD.
6. The motions to dismiss of CTC and SSD with respect to Count V of the complaint, state-created danger claims, are **GRANTED**, and this claim is **DISMISSED WITH PREJUDICE**.
7. The motions to dismiss of CTC and SSD with respect to Counts VII and VIII of the complaint, state law tort claims, are **GRANTED**, and these claims are **DISMISSED WITH PREJUDICE**.
8. The defendants CTC and SSD are directed to file their answers to the remaining claims against them in the plaintiff's complaint in **on or before March 25, 2020**.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: March 11, 2020

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